STANDING AND FUNDING GUIDELINES

The Terms of Reference provide that the Commission shall have the responsibility to inquire into all aspects of the circumstances that resulted in the death of Neil Stonechild, and the conduct of the investigation into the death of Neil Stonechild for the purpose of making findings and recommendations with respect to the administration of criminal justice in the Province of Saskatchewan.

I. PRINCIPLES

Commission counsel has the primary responsibility for representing the public interest at the Inquiry including the responsibility to ensure that all interests that bear on the public interest are brought to the Commission's attention.

1. Parties are granted standing for the purpose of ensuring that particular interests and perspectives, that are considered by the Commission to be essential to its mandate will be presented; these include interests and perspectives that could not be put forward by Commission counsel without harming the appearance of objectivity that will be maintained by Commission counsel and which the Commission believes are essential to the successful conduct of the Inquiry.

2. The aim of the funding is to assist parties granted standing in presenting such interests and perspectives but is not for the purpose of indemnifying interveners from all costs incurred.

II. CRITERIA FOR STANDING

The Commissioner will determine who has standing to participate in Commission proceedings and the extent of such participation. The Commissioner will determine applications for standing based on the following criteria:

a. the applicant is directly and substantially affected by the Inquiry; or

b. the applicant represents interests and perspectives essential to the successful conduct of the Inquiry; or

c. the applicant has special experience or expertise with respect to matters within the Commission's terms of reference.

III. CRITERIA FOR FUNDING

The Terms of Reference provide that the Commissioner shall determine applications by those parties, if any, or those witnesses, if any, to the public inquiry that apply to the Commissioner to have their legal counsel paid for by the Commission, and further, determine at what rate such counsel shall be paid for their services. The Commissioner will determine applications for funding based on the following criteria:

a. the applicant has been granted standing or is a witness whose counsel has been granted standing for the purpose of that witness's testimony;

b. the applicant has an established record of concern for and has demonstrated a commitment to the interest they seek to represent, they are directly or substantially affected by the Inquiry, or they have special experience or expertise with respect to matters within the Commission's terms of reference;

c. the applicant does not have sufficient financial resources to enable them adequately to represent that interest and require funds to do so; and

d. the applicant has a clear proposal as to the use they intend to make of the funds, and appears to be sufficiently well organized to account for the funds.

IV. APPLICATIONS

Applications for standing shall be made in writing and shall include a statement of how the applicant satisfies the criteria for standing set out in these Guidelines.

1. Applications for funding shall be made in writing, supported by affidavit, and shall include the following:

   a. a statement of how the applicant satisfies the criteria for funding set out in these Guidelines;

   b. an explanation as to why an applicant would not be able to participate without funding;

   c. a description of the purpose for which the funds are required, how the funds will be disbursed and how they will be accounted for;

   d. a statement of the extent to which the applicant will contribute their own funds and personnel to participate in the Inquiry; and

   e. the name, address, telephone number and position of the individual who will be responsible for administering the funds and a description of the controls put in place to ensure the funds are disbursed for the purposes of the Inquiry.

Written applications for standing and funding should be submitted to the Commission of Inquiry by delivering a copy to the Inquiry's offices in Saskatoon, at the address set out below by no later than 4:00 p.m. on the 24th day of April, 2003.

The Commission of Inquiry Into Matters Relating
to the Death of Neil Stonechild
1020 - 606 Spadina Crescent East
Saskatoon, SK
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